

IX. APPENDICES

This section contains the full text of Measures C and R, a bibliography of reference materials pertinent to the planning process utilized in preparing and adopting this Plan, and a record of the City's actions to adopt and amend this Plan.

Measure C

CITIZENS' RIGHTS INITIATIVE TO REDUCE COSTLY URBAN SPRAWL, TO REDUCE TRAFFIC CONGESTION, TO MINIMIZE UTILITY RATE INCREASES, AND TO FACILITATE PRESERVATION OF RIVERSIDE'S CITRUS AND AGRICULTURAL LANDS, ITS SCENIC HILLS, RIDGELINES, ARROYOS AND WILDLIFE AREAS.

Section 1. Statement of Purposes and Intent.

The purposes and intent of this measure are to:

- ! Guarantee the right of Riverside's citizens to determine Riverside's future growth and quality of life.
- ! Reduce costly urban sprawl and minimize future tax and utility rate increases.
- ! Preserve, protect and promote citrus and agriculture uses.
- ! Reduce traffic congestion resulting from rapid growth.
- ! Limit housing densities in the Greenbelt, in La Sierra Lands, and in the Sycamore Canyon Park area.
- ! Preserve and protect open space lands.
- ! Preserve the vitality of older neighborhoods.

Section 2. Findings.

- a. Riverside's quality of life is deteriorating because it is located in one of the fastest growing areas in the State. Rapid growth is causing:
 - 1. Traffic congestion;
 - 2. Loss of agricultural and open space lands;
 - 3. Higher taxes and utility rates to subsidize growth;
 - 4. Increased air, water, and noise pollution;
 - 5. Crowding, congestion and increased crime; and
 - 6. Inadequacy of services and facilities.
- b. City government has failed to implement the minimum requirements of Riverside's 1979 initiative, Proposition R.
- c. The City's residential and small business electric rates and per capita debt are among the highest in the State.
- d. The cost of developing agricultural lands for urban uses is more expensive to the taxpayer and utility rate payer than preserving them for agriculture.
- e. Unplanned expansion of the City boundaries by annexation can have high costs and significant negative impacts on the City's quality of life, yet the City has no comprehensive plan for such annexations and expansions.
- f. Sufficient vacant and developable land exists within the current City boundaries to meet projected housing needs, including housing for low and moderate income families, and still preserving agricultural and open space lands.
- g. The public health, safety, and general welfare will be promoted by the adoption of this measure.

Section 3. Definitions.

For purposes of this measure, the following words and phrases shall have the following meanings:

- a. "Effective date" shall mean the date on which this initiative measure was adopted by the City Council of the City of Riverside or the date on which it was passed by the voters at the polls, whichever occurs first.
- b. "Proposition R" shall mean the citizens initiative labeled "Measure R" adopted by the voters of the City of Riverside in 1979 attached hereto.
- c. "Agricultural land(s)," "Agriculture," "Agricultural use" shall mean all lands designated for agricultural use in the City's General Plan and/or zoning ordinance as of June 1, 1987 and all parcels of land greater than ten acres in size in active agricultural production as of the effective date of this measure or within one year prior thereto.
- d. "Greenbelt" shall mean that area defined by Section 3(a) of Proposition R.
- e. "La Sierra Lands" shall mean that area defined by Section 3(b) of Proposition R.
- f. "Sphere of Influence" means the Sphere of Influence for the City of Riverside as adopted and amended from time to time by the Local Agency Formation Commission (LAFCO).

Section 4. Amendment to Proposition R to Correct City Abuse of Proposition R.

It is the purpose of the following amendments to Proposition R, in addition to the purposes stated in Section 1, to assist the City in carrying out its planning and zoning programs so as to limit the City's future growth, to preserve Riverside's quality of life and to ensure the City's ability to provide adequate traffic circulation, police, fire, and other services while minimizing utility rate increases. The full text of Proposition R is attached hereto and incorporated herein by this reference. Section 7 of Proposition R is hereby amended to read as follows (overstrike indicates proposed deletion):

Section 7. "These provisions are minimum requirements for the promotion of the public health safety and general welfare. This Ordinance may be amended by a two-thirds affirmative vote of the City Council only to further its purposes or repealed only by a vote of the people".

Section 5. Additions to Proposition R to Promote Agriculture.

Subparagraph 3(c) is hereby added to Proposition R to read as follows:

- "a. *Policy to Promote and Encourage Agriculture.* It is hereby declared to be the policy of the City of Riverside to promote and encourage agriculture as an essential industry and a desirable open space use. The Greenbelt and La Sierra Lands are important agricultural lands because of their high soil quality, favorable climate, and low water costs. It is further declared to be the policy of the City to retain, wherever feasible, agricultural lands in private ownership and to encourage and assist the maintenance and formation of family farms, especially for farmers who live on their land. The City shall forthwith adopt such policies, ordinances, and resolutions as may be necessary to implement these policies.

- b. Allocation of Funds for Replanting* The City shall allocate funds under its annual budget for at least the next five (5) years to establish programs for one time, low cost loans for the replanting of dying groves and/or vacant agricultural land and/or for the protection of agricultural land from theft, vandalism and dumping.
- c. Additional Agricultural/ and Open Space Policies.* To further promote and preserve agricultural uses and agricultural lands in the City of Riverside, the City shall forthwith take any and all appropriate actions to carry out this measure, including but not limited to the following:
1. Insure that the Gage Canal water is reserved for agricultural use as the highest priority;
 2. Protect Greenbelt streets from heavy traffic;
 3. Minimize the extension of City services and urban infrastructure into agricultural land areas, except as needed for agricultural purposes;
 4. Develop and implement public service and infrastructure standards compatible with and appropriate for agricultural lands;
 5. Plan and implement programs wherever feasible in the Greenbelt, in the La Sierra Lands, in the Sycamore Canyon Park area and in other appropriate areas for recreational opportunities for biking, equestrian and hiking uses consistent with farming needs, agricultural uses and wildlife protection;
 6. Prepare, or cause to be prepared, approve and adopt a Specific Plan pursuant to Government Code Section 65450 et seq. for the La Sierra Lands area of the City which meets, at minimum, all of the following criteria:
 - a. New housing units shall be clustered to protect the river bottom wildlife refuge, the agricultural land along the river bluffs and the open space character of the area;
 - b. The total number of housing units permitted shall be no more than as permitted under the existing zoning, but requiring that the housing areas be developed consistent with the standards and criteria of the RC "Residential Conservation" Zone;
 - c. The wildlife refuge, agricultural land and open space character of the river area shall all be preserved;
 - d. Any future roads and/or utility service shall be located so as to protect the wildlife refuge, agricultural land, and open space character of the area;
 - e. Public trail access along the river corridor compatible with protection of the wildlife refuge shall be maintained and provided for hiking, bicycling and equestrian uses".

Section 6. Protection of Sycamore Canyon Park.

To protect the Sycamore Canyon Park area as an important wildlife habitat area and open space area, the City shall limit any future increases in housing unit density granted to developers in or near the Park in exchange for land donations to the Park to the percentage set forth in the Sycamore Canyon Park Specific Plan (fifteen percent).

Section 7. Planning to Minimize Adverse Impacts to the City's Sphere of Influence Area.

The City shall forthwith initiate a planning process leading to the development and adoption of a Plan for the ultimate development of the City's Sphere of Influence area. Until such Plan is adopted by the City, the City shall not, unless compelled by law to do so, initiate nor approve any annexations to the City. Upon adoption of the Plan required by this Section, the City may initiate and/or approve annexations consistent with the Plan.

The City's Plan for the Sphere of Influence area shall meet at minimum all of the following criteria:

- a. The plan shall extend, at minimum, the provisions of Proposition R and of this measure to the Sphere of Influence area;
- b. The plan shall identify and make provision to protect sensitive wildlife open space and agricultural lands, including but not limited to, lands adjacent to Lake Mathews;
- c. The process leading to adoption of the Plan and its implementation shall include residents of the Sphere of Influence area and shall include notice and public hearing; and
- d. The Plan shall require that upon annexation new development in the Sphere of Influence area shall pay all costs of providing public services and urban infrastructure to such development.

Section 8. Implementation.

The City Council and all City agencies, boards, and commissions are hereby directed to take any and all actions necessary to carry out this initiative measure, including but not limited to, adoption and implementation of any amendments to the City General Plan, Zoning Ordinance, and/or City Code. This measure shall be implemented forthwith as a matter of the highest priority to the City.

Section 9. Guidelines.

The City Council may adopt guidelines to implement and interpret this initiative measure following public notice and public hearing provided that any such guidelines shall be consistent with the provisions and intent of this measure. Any such guidelines must be adopted by two-thirds vote of the City Council.

Section 10. Exemptions for Certain Projects.

This measure shall apply to all properties and projects covered by its terms except it shall not apply to any development project which has obtained a vested right as of the effective date of this measure. For purposes of this measure, a vested right shall have been obtained only if each and all of the following criteria are met:

- a. The proposed project has received a building permit or its final discretionary approval;

- b. Substantial expenditures have been incurred in good faith reliance on the permit or final discretionary approval; and
- c. Substantial construction has been performed in good faith reliance on the permit or final discretionary approval.

The "substantiality" of expenditures incurred and of construction performed and the question of whether or not such expenditures and construction were in "good faith" are questions of fact to be determined on a case by case basis by the City Council following application by the developer and notice and public hearing. Actions taken by a developer to speed up or expedite a development project with knowledge of the pendency of this measure shall not be deemed to be in "good faith" and shall not qualify for vested rights. Phased projects shall be considered for exemption on a phase by phase basis to the extent permitted by California law.

Section 11. Amendment or Repeal.

This measure may be amended or repealed only by a majority of the voters voting in an election thereon.

Section 12. Severability.

If any section, subsection, sentence, clause, phrase, part or portion of this measure is for any reason held to be invalid or unconstitutional by a final judgment of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this measure. It is hereby declared that this measure and each section, subsection, sentence, clause phrase, part or portion thereof would have been adopted or passed irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

Measure R

TAXPAYERS' INITIATIVE ORDINANCE TO REDUCE COSTLY URBAN SPRAWL BY PRESERVING RIVERSIDE'S CITRUS AND AGRICULTURAL LANDS, ITS UNIQUE HILLS, ARROYOS, AND VICTORIA AVENUE

THE PEOPLE OF THE CITY OF RIVERSIDE, STATE OF CALIFORNIA, DO ORDAIN AS FOLLOWS:

Section 1. The people of the City of Riverside find that the City's present general plan and growth policies permit disorderly development and have caused conditions harmful to the public health, safety and general welfare. The City's plans and policies reduce the availability of public funds to maintain essential public services for present and future City residents. Tax dollars are being diverted to extend costly new services to outlying subdivisions. Overcrowding of schools, reduced police and fire protection, flood hazards, insufficient sewage treatment capacity, heavy traffic, air pollution, energy waste, deterioration of older neighborhoods, and increased utility and service fees are the result.

These plans and policies also destroy the city's remaining citrus groves, agricultural land, natural resources, and historic Victoria Avenue. Our hills, ridgelines, arroyos, and watersheds are being bulldozed. All these are priceless and irreplaceable civic amenities which enhance the quality of life and which we wish to preserve for ourselves and future generations.

Section 2. The people hereby declare that the foregoing conditions can be avoided or alleviated by the adoption and implementation of this Ordinance.

Section 3. Except as stated herein, the Residential Agricultural (RA) Zone, as set forth in the Riverside Municipal Code on May 15, 1979, is hereby applied to:

- a. all property lying in the Riverside Arlington Heights Greenbelt within the area enclosed by a line beginning on the centerline of Washington Street 712 feet northwesterly of its intersection with the centerline of Victoria Avenue, then proceeding southwesterly parallel to and 712 feet northwesterly of the centerline of Victoria Avenue to the centerline of Harrison Street, along the centerline of Harrison Street northwesterly to the southeasterly property line of the Riverside Canal, along the property line of the Riverside Canal southwesterly to the City Limits, along the City Limits in a generally easterly direction to the centerline of Washington Street, then northerly along the centerline of Washington Street to the point of beginning.
- b. all property zoned Residential Agricultural on May 15, 1979, lying in the Arlanza-La Sierra area of Riverside within the area enclosed by a line beginning on the centerline of Tyler Street at its intersection with the centerline of Arlington Avenue, then proceeding northerly along the centerline of Tyler Street to its connection with the

northwesterly line of the old Ohio Avenue (vacated) right-of-way, then proceeding northeasterly along the northwesterly line of the old Ohio Avenue (vacated) right-of-way to the City Limits, then westerly and southerly along the City Limits to the centerline of Arlington Avenue, then easterly along the centerline of Arlington Avenue to the point of beginning.

The text of the RZ Zone as of May 15, 1979, shall be the zone text to be applied to the property described herein, except that one single family dwelling shall be permitted per lot and the minimum area of each such lot shall be five acres. The uses permitted in the RA Zone as of May 15, 1979, shall be the uses allowable, except that those uses defined in Paragraphs 6 and 12 of Section 19.08.020 of the Municipal Code shall not be allowed unless mandated by State Law.

Residential subdivisions which have been issued building permits as of the date this Ordinance is enacted shall be exempt from the requirements of this Section provided that substantial investment toward actual construction has been made under the permit within one-hundred twenty days of the issuance of the building permit.

Individuals may construct one single family dwelling on a lot of less than five acres existing as of May 15, 1979, in the RA Zone created herein if such individuals occupy the residence after construction. To aid in the implementation of this Section, the City shall adopt a policy that will continue to make water and electricity available for agricultural use.

Section 4. The Residential Conservation (RC) Zone as described in the Riverside Municipal Code on May 15, 1979, is hereby applied to all property having an average natural slope of 15 percent or more, except that all lots having an average natural slope of 15 to 30 percent shall be limited to one single family dwelling per two acres. Lots having an average natural slope of greater than 30 percent shall be limited to one single family dwelling per five acres. Further, the uses permitted in the RA Zone as of May 15, 1979, shall be the uses allowable in the RC Zone, except that those uses defined in Paragraphs 6 and 12 of Section 19.08.020 of the Municipal Code shall not be permitted unless mandated by State law.

Residential subdivisions which have been issued building permits as of the date this Ordinance is enacted shall be exempt from the requirements of this Section provided that substantial investment toward actual construction has been made under the permit within one-hundred twenty days from the issuance of the building permit.

Individuals may construct one single family dwelling on a lot existing as of May 15, 1979, in the RC Zone created herein of less than the minimum lot size required by this Section if such individuals occupy the residence after construction.

This Section shall not apply to land zoned RC prior to May 15, 1979.

Notwithstanding any provision of this Section to the contrary, if property otherwise subject to this Section is also subject to the RA Zoning pursuant to Section 3 of this initiative, then the provisions of Section 3 shall prevail.

Section 5. This Ordinance does not apply to the restoration or rehabilitation of, or to any additions to, residential dwellings existing prior to, or under construction on, the date of enactment of this Ordinance or to dwellings later constructed in accordance with this Ordinance.

Section 6. The City's General Plan shall be amended in the manner required by law to conform with these provisions. To the extent that any policy or provision of this Ordinance is not self-executing, the City Council shall promptly enact such regulations and ordinances as may be necessary to carry out the directives and intent hereof.

Section 7. These provisions are minimum requirements for the promotion of the public health, safety and general welfare. This Ordinance may be amended by a two-thirds affirmative vote of the City Council only to further its purposes. This Ordinance may be amended or repealed by a vote of the people.

Section 8. If any portion of this Ordinance is held invalid, the remaining portions shall survive intact, because it is expressly declared that this Ordinance would have been prepared, submitted and approved irrespective of the fact that any section or portion thereof might be held invalid.

Bibliography

1. Impact Sciences, Inc. Draft Environmental Impact Report, RANCHO LA SIERRA SPECIFIC PLAN - Concept Plan Selection. State Clearinghouse No. 92052022. (Thousand Oaks, California: July 21, 1992).
2. Impact Sciences, Inc. and the City of Riverside Planning Department. Final Environmental Impact Report, RANCHO LA SIERRA SPECIFIC PLAN- Concept Plan Selection. (Thousand Oaks, California: January 4, 1993).
3. City of Riverside, City Council. Resolution No. 18481, adopted April 26, 1994 for the Rancho La Sierra Specific Plan (Concept Plan Selection) Case GP-1-912.
4. City of Riverside. "Title 19, Zoning" in Riverside Municipal Code.
5. Article 8 of Title 7 of the California Government Code, Section 65450 et seq.
6. California Public Resources Code, Section 21080.7, *et seq.*
7. City of Riverside, City Council. Resolution No. 12006: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, ADOPTING STANDARDS GOVERNING PRIVATE STREETS AND PRIVATE DRIVES IN RESIDENTIAL DEVELOPMENT. (City of Riverside, Riverside, California: November 21, 1972).
8. City of Riverside, *Exhibit 52, Streets and Highways Diagram*, in "Transportation Element" in Riverside General Plan, Riverside, California: City of Riverside Public Works Department (September 13, 1994).
9. Dangermond & Associates, Concept Plan: Championship Golf Plan, RANCHO LA SIERRA. September, 1992.

Record of Adoption and Amendments

Ordinance or Resolution No. and Date	Action Taken
City Council Resolution No. 18846 dated January 23, 1996	Adoption of Rancho La Sierra Specific Plan